

**CALIFORNIA CODE OF REGULATIONS**  
**ARTICLE 2.0**  
**DRIVER LICENSES AND IDENTIFICATION CARDS**

**§ 15.00. Information Required to Establish Legal Presence in the United States (U.S.) for Purpose of Determining Eligibility for an Original Driver's License or Identification Card.**

Except as otherwise provided by law, the department may not issue a driver's license or identification card to any person unless the person presents to the department proof of California residency, as specified in Section 15.01 of this Article, and proof of their legal presence in the United States.

(a) Proof of legal presence is established when a person presents any one of the following genuine documents bearing the applicant's true full name to the department:

- (1) A certified copy of a United States birth certificate issued in or by a city, county, or state vital statistics department.
- (2) A U.S. Certificate of Birth Abroad (FS-545, DS-1350) or a Report of Birth Abroad of U.S. Citizen (FS-240).
- (3) A Proof of Indian Blood Degree issued by the federal government.
- (4) A Certified Birth Certificate issued from:
  - (A) Puerto Rico, on or after July 1, 2010.
  - (B) Guam, on or after April 10, 1899.
  - (C) U.S. Virgin Islands, on or after January 17, 1917.
  - (D) Northern Mariana Islands, after November 4, 1986.
  - (E) American Samoa.
  - (F) Swain's Island.
  - (G) District of Columbia.
- (5) A valid U.S. passport or passport card.
- (6) One of the following unexpired U.S. Military Identification Cards and documents:
  - (A) DD-2 or Common Access Card for active duty, reserve or retired Air Force, Army, Marine Corps, or Navy.
  - (B) DD-1173 for dependents of active duty military personnel, Air Force, Army, Marine Corps, or Navy.
  - (C) AF-447, A-447, MC-447, N-447 for dependents of reserve duty military personnel, Air Force, Army, Marine Corps, or Navy.
  - (D) DD-1934 for Medical/Religious personnel.
  - (E) DD-214 Report of Separation for Air Force, Army, Marine Corps, or Navy personnel.
- (7) Certificate of Naturalization (N-550, N-570, N-578).
- (8) Certificate of Citizenship (N-560, N-561, N-645).
- (9) Northern Mariana Card issued by DHS (I-551).
- (10) American Indian Card issued by DHS (I-551).
- (11) U.S. Citizen Identification Card (I-179, I-197).
- (12) Resident Alien Card (I-551, AR-3, AR-3A, AR-103).
- (13) Temporary Resident Identification Card (I-688).
- (14) Alien Registration Receipt Card (I-151) valid until declared invalid by DHS.
- (15) Permanent Resident Re-entry Permit (I-327).

- (16) U.S. Border Crossing Identification Card and Visa (Known as the "Mica") with a valid I-94.
- (17) A foreign passport stamped "Processed for I-551".
- (18) Record of Arrival and Departure (I-94) stamped Temporary Evidence of Lawful Admission for Permanent Resident.
- (19) A valid Canadian passport.
- (20) A certified copy of a Canadian birth certificate.
- (21) Non-Resident Alien Canadian Border Crossing Card (I-185, I-586).
- (22) Mexican Border Crossing Card (I-186 with a valid I-94 or I-586 with a valid I-94).
- (23) Record of Arrival and Departure (I-94 or I-94W) with a valid foreign passport.
- (24) Record of Arrival and Departure (I-94) with one of the following types of unexpired foreign passports to Hong Kong residents:
  - (A) Certificate of Identity.
  - (B) Document of Identity.
  - (C) British National Overseas (BNO).
  - (D) Hong Kong Special Administrative Region (HKSAR).
- (25) A certified order or judgment from a court of competent jurisdiction stating the true full name, date of birth and that the applicant was born in the U.S. or U.S. Territories or that the applicant's presence in this country is authorized by Federal law.
- (26) Certification provided by the California Department of Corrections and Rehabilitation (CDCR) which verifies the legal presence of the applicant.
- (27) Employment Authorization Card (I-688A, I-688B, I-766).
- (28) Record of Arrival and Departure stamped "Refugee, or Asylee, Parolee or Parole" (I-94) coded: Section 207 (Refugee), 208 (Asylum), 209 (Refugees), 212d(5) (Parolee), HP (Humanitarian Parolee) or PIP (Public Interest Parolee).
- (29) An immigration Judge's Order Granting Asylum.
- (30) Refugee Travel Document (I-571).
- (31) Notice of Action (I-797) Approved Petition).

Note: Authority cited: Sections 1651 and 12801.5, Vehicle Code. Reference: Sections 12800 and 12801.5, Vehicle Code.

**HISTORY**

1. New section filed 11-29-93 as an emergency; operative 3-1-94 (Register 93, No. 49). A Certificate of Compliance must be transmitted to OAL by 6-28-94 or emergency language will be repealed by operation of law on the following day.
2. Amendment of article heading filed 12-9-93; operative 1-10-94 (Register 93, No. 50).

## CALIFORNIA CODE OF REGULATIONS – ARTICLE 2.0

3. Certificate of Compliance as to 11-29-93 order transmitted to OAL 6-24-94 with amendment of section and Note and filed 8-8-94 (Register 94, No. 32).
4. Editorial correction restoring text and deleting former History 4 (Register 95, No. 9).
5. Editorial correction of article heading (Register 95, No. 28).
6. Amendment of section heading and section filed 9-27-95; operative 10-27-95 (Register 95, No. 39).
7. Repealer of subsections (a)(4)(H)-(I), amendment of subsections (b)(7) and (d)(6), and new subsections (d)(6)(A)-(D) filed 6-5-2000; operative 7-5-2000 (Register 2000, No. 23).
8. Change without regulatory effect redesignating article 2 to article 2.0 and amending article heading filed 7-23-2003 pursuant to section 100, title 1, California Code of Regulations (Register 2003, No. 30).
9. Amendment redesignating article 2.0 as article 2 and amending article heading filed 9-9-2004 as an emergency; operative 9-9-2004 (Register 2004, No. 37). A Certificate of Compliance must be transmitted to OAL by 1-7-2005 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 9-9-2004 order transmitted to OAL 12-20-2004 and filed 1-26-2005 (Register 2005, No. 4).
11. Amendment of subsections (a)(9)-(10), (b), (b)(3), (d) and (e)(1)-(2), repealer of subsection (e)(3) and subsection renumbering filed 10-2-2008; operative 11-1-2008 (Register 2008, No. 40).
12. New first paragraph and amendment of subsections (a)(4)(A), (a)(5), (a)(6)(A), (c)(1), (d)(1) and (e)(5) filed 2-16-2017; operative 4-1-2017 (Register 2017, No. 7).
13. Amendment of section heading and section filed 12-22-2017; operative 12-22-2017 pursuant to Government Code section 11343.4(b)(3) (Register 2017, No. 51).

### § 15.01. Acceptable Proof of California Residency.

Except as otherwise provided by law, the department may not issue a driver's license or identification card to any person unless the person presents to the department proof of their legal presence, as specified in Section 15.00 of this Article, and proof of California residency.

- (a) An applicant for a driver's license or identification card under Section 15.00 shall submit one document from subsection (d) that contains the applicant's residence address. With the exception of documents listed in subsections (d)(19) through (d)(21), the document must list the applicant's first and last name and the California residence address must match the residence address as listed on the driver's license or identification card application. If the applicant includes a separate mailing address on the driver's license or identification card application, the address on the document must match the mailing address included on the application.

- (b) Notwithstanding subsection (a), a parent, legal guardian, or child may use a birth certificate and a spouse or domestic partner may use a marriage license or domestic partner registration certificate to trace their relationship to the individual to whom a residency document listed in subsection (d) has been addressed.
- (c) Notwithstanding subsection (a), a minor may use one of the following forms approved and issued by the California Department of Social Services and executed by an agency administering foster care duties to trace the applicant's relationship to the individual to whom a residency document listed in subsection (d) has been addressed:
  - (1) Agency - Group Home Agreement (Form SOC 154),
  - (2) Placement Agency - Foster Family Agency Agreement - Child Placed By Agency In Foster Family Agency (Form SOC 154A), or
  - (3) Agency - Foster Parents Agreement - Child Placed by Agency in Foster Home (Form SOC 156).
- (d) An acceptable residency document is:
  - (1) Rental or lease agreement with the signature of the owner/landlord and the tenant/resident.
  - (2) Deed or title to residential real property.
  - (3) Mortgage bill.
  - (4) Home utility bill including cellular phone bill.
  - (5) School document, as defined in Section 16.06(a)(1).
  - (6) Medical document.
  - (7) Employment document.
  - (8) Faith based document that includes the name and address of the issuing organization.
  - (9) Insurance document, including medical, dental, vision, life, home, rental, and vehicle.
  - (10) Internal Revenue Service or California Franchise Tax Board tax returns.
  - (11) California Certificate of Vehicle or Vessel Titles or registration.
  - (12) Change of Address Confirmation by the United States Postal Service (Form CNL 107).
  - (13) Document issued by a government, as defined in Section 16.02(b).
  - (14) A property tax bill or statement.
  - (15) Record of a financial institution, as defined in Section 16.10(c)(16).
  - (16) Voter registration confirmation letter or postcard issued by the California Secretary of State or a local California county elections officer.
  - (17) Proof of payment of resident tuition at a public institution of higher education located in California.
  - (18) An original copy of an approved homeowner's tax exemption (Form BOE-266) filed with a local California County Assessor.
  - (19) Court documents that list the applicant as a resident of California.
  - (20) A letter, on letterhead from a homeless shelter, a shelter for abused women, a nonprofit entity, a faith based organization, an employer, or a government within the United States attesting that the applicant resides in California.

## CALIFORNIA CODE OF REGULATIONS – ARTICLE 2.0

(21) A DMV form DL 933, completed and signed in compliance with Section 15.08.

(e) The department may determine additional documents that will assist in verifying an applicant's true California residence address on a case by case basis.

Note: Authority cited: Sections 1651 and 12801.5, Vehicle Code. Reference: Sections 12505, 12509, 12509.5, 12513, 12801.5, 12801.6, 12801.9, 13000 and 13001, Vehicle Code.

### HISTORY

1. New section filed 2-16-2017; operative 4-1-2017 (Register 2017, No. 7). For prior history, see Register 2016, No. 28.
2. Amendment filed 12-22-2017; operative 12-22-2017 pursuant to Government Code section 11343.4(b)(3) (Register 2017, No. 51).

### § 15.02. Out-of-State Driver License Verification for Driving Test Waiver.

(a) The "acknowledged national driver record data source" as specified in Section 12804.9 of the Vehicle Code shall be the National Driver Register Problem Driver Pointer System.

(b) The department shall inquire the Problem Driver Pointer System whenever an original California driver license applicant presents a license issued by another state, territory, or possession of the United States, District of Columbia, or the Commonwealth of Puerto Rico.

(c) Pursuant to Section 12804.9 of the Vehicle Code, the department may waive the behind-the-wheel drive test portion of the driver license examination process under the following conditions:

- (1) An applicant presents an expired or unexpired driver license issued by another state, territory, or possession of the United States, District of Columbia, or the Commonwealth of Puerto Rico; and
- (2) The department confirms through the Problem Driver Pointer System the status of the out-of-state driver license, and that there are no holds, stops, or other impediments (such as suspensions, revocations or withdrawals) to issuance of a California driver license.

Note: Authority cited: Section 1651, Vehicle Code. Reference: Section 12804.9, Vehicle Code.

### HISTORY

1. New section filed 10-7-99; operative 11-6-99 (Register 99, No. 41).

### § 15.03. Terms of Issuance and Restrictions.

(a) The department shall issue a temporary driver license valid for up to 60 days provided there is no other cause for refusal pending verification of documents submitted as proof of legal presence.

(b) The department shall not accept an application for a driver license or identification card if the documents submitted as proof of legal presence in the United States indicate an expiration date less than 61 days from the application date. Canadian and U.S. passports are not subject to this requirement.

(c) The department shall not accept an application for an original identification card if the applicant cannot provide one of the documents in Section 15.00 to establish proof of legal presence.

(d) The department may elect to verify the authenticity of any document provided as proof of legal presence. Verification of documents may include electronic verification systems or manual methods.

(e) The department may issue a driver license or identification card termed to expire on the same date as the expiration date on the valid DHS document, or if there is no expiration date on the federal document, for a period not to exceed one year from the date the DHS document was issued.

Note: Authority cited: Sections 1651 and 12801.5, Vehicle Code. Reference: Sections 12506, 12800, 12801.5, 12805, 12816, 13000, 13002 and 14100, Vehicle Code.

### HISTORY

1. New section filed 11-29-93 as an emergency; operative 3-1-94 (Register 93, No. 49). A Certificate of Compliance must be transmitted to OAL by 6-28-94 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 11-29-93 order transmitted to OAL 6-24-94 with new subsection (e) and amendment of Note and filed 8-8-94 (Register 94, No. 32).
3. Certificate of Compliance for subsection (b) disapproved by OAL; emergency language repealed by operation of Government Code section 11346.1(f) (Register 94, No. 32).
4. New subsection (b) refiled 8-9-94 as an emergency; operative 8-9-94 (Register 94, No. 32). A Certificate of Compliance must be transmitted to OAL by 12-7-94 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 8-9-94 order including amendment of subsections (a), (b), (e) and Note transmitted to OAL 12-2-94 and filed 1-19-95 (Register 95, No. 3).
6. Editorial correction of subsection (e) and History (Register 95, No. 9).
7. Amendment of subsection (e) and Note filed 9-27-95; operative 10-27-95 (Register 95, No. 39).
8. Amendment of subsections (a), (b) and (e) filed 10-2-2008; operative 11-1-2008 (Register 2008, No. 40).

### § 15.04. Social Security Account Number Verification.

(a) The department shall verify the authenticity of any social security number provided on a driver license or

## CALIFORNIA CODE OF REGULATIONS – ARTICLE 2.0

identification card application. Verification of social security numbers may include the use of electronic verification systems and manual methods.

- (b) The department shall not issue a driver license or identification card, or a temporary license, interim license, or instruction permit, if the social security number submitted to the department does not match the records of the Social Security Administration.
- (c) The department shall not accept an application for a driver license or identification card if the application does not include the applicant's social security number.  
Exception:

- (1) If the application was submitted with document(s) that establish proof of the applicant's legal presence in the United States, AND
- (2) The Department of Homeland Security verifies that the applicant is in the country legally but is not authorized to work, and is therefore ineligible for a social security number.

Note: Authority cited: Section 1651, Vehicle Code; and Thomas Lauderbach et al., v. Frank S. Zolin, 35 Cal. App. 4th 578; 41 Cal. Rptr. 2d 434 (1995). Reference: Sections 1653.5, 12506, 12800 and 12801.5, Vehicle Code; and Thomas Lauderbach et al., v. Frank S. Zolin, 35 Cal. App. 4th 578; 41 Cal. Rptr. 2d 434 (1995).

### HISTORY

- 1. New section filed 7-19-2005; operative 8-18-2005 (Register 2005, No. 29).

### § 15.05. Appeals Hearings.

The department shall provide for an appeals hearing from denials of identification cards, driver licenses, or temporary driver licenses. The hearing shall be held in accordance with Article 3 (commencing with Section 14100) of Chapter 3 of Division 6 of the Vehicle Code. The only issue at the hearing shall be whether the department has acted properly in refusing to issue an identification card, a temporary driver license, or a permanent driver license.

Note: Authority cited: Sections 1651 and 12801.5, Vehicle Code. Reference: Sections 12506, 12800, 12801.5, 12816 and 14100, Vehicle Code.

### HISTORY

- 1. New section filed 11-29-93 as an emergency; operative 3-1-94 (Register 93, No. 49). A Certificate of Compliance must be transmitted to OAL by 6-28-94 or emergency language will be repealed by operation of law on the following day.
- 2. Certificate of Compliance as to 11-29-93 order transmitted to OAL 6-24-94 with amendment of Note and filed 8-8-94 (Register 94, No. 32).
- 3. Amendment filed 9-27-95; operative 10-27-95 (Register 95, No. 39).

### § 15.06. True Full Name.

For purposes of this article, "true full name" is defined as the name specified on one of the documents listed in Section 15.00 in Article 2, Chapter 1, Division 1, of Title 13 of the California Code of Regulations necessary to establish legal presence, birth verification, or a name change, that is submitted at the time of application. The true full name shall be the name that appears on the driver license or identification card, and recorded on the driving record.

Note: Authority cited: Section 1651, Vehicle Code.

Reference: Sections 12800, 12800.7 and 13000, Vehicle Code.

### HISTORY

- 1. New section filed 5-18-99; operative 6-17-99 (Register 99, No. 21).

### § 15.07. Reduced Fee Identification Cards.

(a) The department shall issue an identification card to an applicant for a reduced fee, as specified in Section 423.00 of Article 6.0, if, in addition to the other requirements for obtaining a card, the applicant presents a Reduced Fee Identification Card Eligibility Verification, form DL 937 (Rev. 3/2016), which is hereby incorporated by reference, completed by a qualified verifier of income establishing the applicant is a qualified low-income person. A qualified low-income person is one whose income meets the eligibility requirements of, or is receiving public benefits under, any of the following programs:

- (1) California Work Opportunity and Responsibility to Kids Act/CalWORKs (Welf. and Inst. Code sec. 11200);
- (2) Burton-Moscone-Bagley Citizens' Income Security Act for Aged, Blind, and Disabled Californians (Welf. and Inst. Code sec. 12000);
- (3) County or city general assistance programs (Welf. and Inst. Code sec. 17000);
- (4) Supplemental Nutrition Assistance Program/Cal Fresh (Welf. and Inst. Code sec. 18900);
- (5) Food Assistance Program for Legal Immigrants/California Food Assistance Program (CFAP) (Welf. and Inst. Code sec. 18930);
- (6) Cash Assistance Program for Aged, Blind and Disabled Legal Immigrants/Cash Assistance Program for Immigrants (CAPI) (Welf. and Inst. Code sec. 18937);
- (b) A qualified verifier of income is a person who regularly verifies income for eligibility for the programs listed in subdivision (a) as an employee or volunteer of either:
  - (1) A governmental entity, or
  - (2) A nonprofit organization registered with the Internal Revenue Service as a non-profit organization that has a physical location within California, and regularly assists members of the public with applications for benefits under the programs listed in subsection (a).
- (c) A qualified verifier of income shall review the applicant's documents, evidence, or other information typically required to determine eligibility for benefits and conclude

## CALIFORNIA CODE OF REGULATIONS – ARTICLE 2.0

the information more likely than not meets the income eligibility requirements for a benefit listed in subsection (a), complete and sign form DL 937 under penalty of perjury, and retain for one year all documents and evidence relied on to verify income of the applicant.

(d) The certification of eligibility in form DL 937 shall be completed and dated within 90 days of the application for the reduced fee identification card.

(e) A verifier may not charge a fee for complying with this regulation.

Note: Authority cited: Sections 1651, 1678 and 14902, Vehicle Code. Reference: Sections 1678 and 14902, Vehicle Code.

### HISTORY

1. New section filed 9-9-2004 as an emergency; operative 9-9-2004 (Register 2004, No. 37). A Certificate of Compliance must be transmitted to OAL by 1-7-2005 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 9-9-2004 order transmitted to OAL 12-20-2004 and filed 1-26-2005 (Register 2005, No. 4).
3. Repeater and new section and amendment of Note filed 6-23-2016; operative 10-1-2016 (Register 2016, No. 26).

### § 15.08. No Fee Identification Cards.

(a) The department shall issue an identification card to an applicant without charging a fee if, in addition to the other requirements for obtaining a card, the applicant presents a No Fee Identification Card Eligibility Verification, form DL 933 (Rev. 6/2016), which is hereby incorporated by reference, completed by a qualified verifier of housing status establishing the applicant is a qualified homeless person. A qualified homeless person is a person whose housing status has been verified by a qualified housing status verifier as meeting the definition of homeless in subsection (b).

(b) Homeless means any of the following:

- (1) Currently at risk of losing permanent housing within the next 14 days;
- (2) Currently without permanent housing;
- (3) Currently with permanent housing but meets all of the following criteria:
  - (A) has experienced a long-term period without living independently in permanent housing;
  - (B) has experienced persistent instability as measured by frequent moves over such period;
  - (C) can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.
- (4) Currently has permanent housing but is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual's permanent housing, including where the health and safety of children are jeopardized, and has no other residence and lacks the resources or support networks to obtain other permanent housing.

(c) "Permanent housing" means a regular, fixed, residential structure appropriate for human habitation. Permanent housing does not include shelters or other temporary living arrangements provided by a government program or charitable organization.

(d) A qualified verifier of housing status is a person who regularly verifies housing status for eligibility for homeless services in California, and is or works for one of the following:

- (1) Government agency receiving federal, state, or county or municipal funding to provide services to a qualified homeless person or that is otherwise sanctioned to provide those services by a local homeless continuum of care organization;
- (2) Local education agency homeless liaison identified by the California Department of Education on its web page entitled Resources for Homeless Children and Youths located at <http://www.cde.ca.gov/sp/hs/>;
- (3) Public social services provider funded by the State of California;
- (4) Human services provider funded by the State of California;
- (5) Non-profit entity or organization that meets all of the following:
  - (A) physically resides in California;
  - (B) registered with the Internal Revenue Service under the Internal Revenue Service Code as a non-profit organization; and
  - (C) either receives federal, state, county or municipal funding to provide services to the homeless or is otherwise sanctioned to provide those services by a local continuum of care organization.
- (6) Attorney licensed to practice in California;
- (7) Law enforcement officer designated as a liaison to the homeless population by a local police department or sheriff's department within the state.

(e) A qualified verifier of housing status shall review the applicant's documents, evidence, or other information typically relied on to verify housing status in the normal course of the verifier's homeless services work, conclude the applicant is homeless, complete and sign form DL 933 under penalty of perjury, and retain for one year all documents and evidence relied on to determine the housing status of the applicant as homeless as defined in subsection (b).

(f) The certification of eligibility on form DL 933 shall be completed and dated within 90 days of the application for the no fee identification card.

(g) A verifier may not charge a fee for complying with this regulation.

## CALIFORNIA CODE OF REGULATIONS – ARTICLE 2.0

Note: Authority cited: Sections 1651, 1678 and 14902, Vehicle Code. Reference: Sections 1678 and 14902, Vehicle Code; and 42 U.S.C. sections 11302 and 11434a(2).

### HISTORY

1. New section filed 6-23-2016; operative 10-1-2016 (Register 2016, No. 26).
2. Change without regulatory effect amending subsection (a) filed 10-6-2016 pursuant to section 100, title 1, California Code of Regulations (Register 2016, No. 41).

### § 16.00. Purpose.

A California driver's license shall not be issued to an applicant by the department except as permitted under Vehicle Code sections 12801, 12801.5, 12801.6, 12801.8, 12801.9, and the regulations of this article.

Note: Authority cited: Sections 1651 and 12801.9, Vehicle Code. Reference: Sections 12801, 12801.5, 12801.6, 12801.8 and 12801.9, Vehicle Code.

### HISTORY

1. New article 2.0 heading and new section filed 12-1-2014 as an emergency; operative 1-1-2015 (Register 2014, No. 49). A Certificate of Compliance must be transmitted to OAL by 6-30-2015 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 12-1-2014 order transmitted to OAL 5-7-2015 and filed 6-19-2015 (Register 2015, No. 25).

### § 16.02. Definition.

As used in this article the following definitions apply:

- (a) "Applicant" means the person applying for the issuance of a driver's license.
- (b) "Government" means the entity, office, or authority governing over a country, state, county, city, municipality, district, agency, department, or any other political subdivision of a country or state.
- (c) "Foreign document" means a document issued by a government other than the federal government, a state, the District of Columbia, a possession or territory of the United States, or any of their political subdivisions.

Note: Authority cited: Sections 1651 and 12801.9, Vehicle Code. Reference: Sections 12801 and 12801.9, Vehicle Code.

### HISTORY

1. New section filed 12-1-2014 as an emergency; operative 1-1-2015 (Register 2014, No. 49). A Certificate of Compliance must be transmitted to OAL by 6-30-2015 or emergency language will be repealed by operation of law on the following day.

2. Certificate of Compliance as to 12-1-2014 order transmitted to OAL 5-7-2015 and filed 6-19-2015 (Register 2015, No. 25).

### § 16.04. Primary Identification Documents.

Individuals who apply for an original driver's license but are unable to meet the requirements of Section 15.00 of this Article must comply with either subsection (a) or (b) of this section, or Section 16.06.

- (a) The applicant may present one of the following:
  - (1) A foreign document approved by the department pursuant to Section 16.08 of this Article. The document must be valid and electronically verified by the department with the country of origin.
  - (2) A valid foreign passport approved by the department pursuant to Section 16.08 of this Article, but that cannot be electronically verified by the department with the country of origin, accompanied with a social security account number that is electronically verifiable by the department with the Social Security Administration.
  - (3) A California driver's license or California identification card issued by the department on or after October 1, 2000.
- (b) If unable to comply with subsection (a) of this section, the applicant may present two foreign documents approved by the department pursuant to Section 16.08 of this Article, that are valid but that cannot be electronically verified by the department with the country of origin.

Note: Authority cited: Sections 1651 and 12801.9, Vehicle Code. Reference: Sections 12800, 12800.7, 12801 and 12801.9, Vehicle Code.

### HISTORY

1. New section filed 12-1-2014 as an emergency; operative 1-1-2015 (Register 2014, No. 49). A Certificate of Compliance must be transmitted to OAL by 6-30-2015 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 12-1-2014 order, including amendment of subsection (b) and repealer of subsections (b)(1)-(b)(2)(B), transmitted to OAL 5-7-2015 and filed 6-19-2015; amendments effective 6-19-2015 pursuant to Government Code section 11343.4(b)(3) (Register 2015, No. 25).

### § 16.06. Secondary Review.

- (a) If an applicant is unable to comply with subsections (a) or (b) of Section 16.04, the applicant shall present sufficient information to enable the department's investigative division to verify the applicant's identity as stated in the application for a driver's license. The applicant shall establish residency by submitting a document as specified in Section 16.10. The applicant shall establish identity by participating in an interview at the department's investigative division and submitting as many as possible of the following documents:

## CALIFORNIA CODE OF REGULATIONS – ARTICLE 2.0

- (1) School documents, including any document issued by a public or private primary, or secondary, or post-secondary institution, college, or university that either includes the applicant's date of birth, or if a foreign school document, is sealed by the school and includes a photograph of the applicant at the age the record was issued.
- (2) Documents issued by or filed with a government within the United States or the United States government as follows:
  - (A) U.S. Department of Homeland Security (DHS) Form I-589, (Application for Asylum and for Withholding of Removal);
  - (B) U.S. DHS Form I-20 (Certificate of Eligibility for Nonimmigrant (F-1) Student Status - For Academic and Language Students or Certificate of Eligibility for Nonimmigrant (M-1) Student Status - For Vocational Students);
  - (C) U.S. DHS Form DS-2019 (Certificate of Eligibility for Exchange Visitor (J-1) Status);
  - (D) Court documents where the applicant is named as a party to the court proceeding;
  - (E) Income tax returns;
  - (F) A driver's license.
- (3) Documents pertaining to civil marital status or civil unity, including marriage licenses or domestic partner registrations; if the language on the marriage license is in a language other than English, the marriage license shall be accompanied by a certified translation or an affidavit of translation into English.
- (4) Divorce decrees; if the language on the decree is in a language other than English, the decree shall be accompanied by a certified translation or an affidavit of translation into English.
- (5) Foreign passport, consular identification card, foreign national identification card, or a foreign driver's license. If the foreign driver's license is in a language other than English, it shall be accompanied by a certified translation or an affidavit of translation into English.
- (6) Identification cards that contain a photograph of the applicant issued by a government within the United States or the United States government.
- (7) Birth documents including a birth certificate or adoption records.
- (8) Any of the above documents that list the applicant's spouse, domestic partner, child, parent or legal guardian provided the applicant also provides a birth certificate, adoption records, marriage license, or domestic partner registration to trace the relationship.
- (b) The department may determine that additional documents will assist in verifying an applicant's identity on a case-by-case basis.
- (c) The applicant shall be informed by the department that the documents must be subjected to a secondary review before the application for license can be completed.

(1) The applicant shall be given a Secondary Review Referral Notice, form DL 209A (Rev. 4/2017), which is hereby incorporated by reference, and instructed to make

an appointment with the department's investigative division to complete the review process.

- (2) The secondary review may include, but not be limited to, an interview of the applicant, or the use of electronic verification systems and manual methods.
- (d) When an applicant's identity has been verified by the secondary review, the applicant shall be instructed by the department to make an appointment with a department field office to complete the application and testing process.

Note: Authority cited: Sections 1651 and 12801.9, Vehicle Code. Reference: Sections 12800, 12800.7, 12801 and 12801.9, Vehicle Code.

### HISTORY

1. New section filed 12-1-2014 as an emergency; operative 1-1-2015 (Register 2014, No. 49). A Certificate of Compliance must be transmitted to OAL by 6-30-2015 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 12-1-2014 order, including amendment of subsections (a) and (c)(1), transmitted to OAL 5-7-2015 and filed 6-19-2015; amendments effective 6-19-2015 pursuant to Government Code section 11343.4(b)(3) (Register 2015, No. 25).
3. Amendment of subsection (c)(1) filed 8-23-2016; operative 10-1-2016 (Register 2016, No. 35).
4. Change without regulatory effect amending Form DL 209A (incorporated by reference) and amending subsection (c)(1) filed 5-15-2017 pursuant to section 100, title 1, California Code of Regulations (Register 2017, No. 20).

### § 16.08. Acceptable Document Approval Criteria.

- (a) The department may identify and approve foreign documents that provide satisfactory proof of the applicant's identity. To obtain approval by the department, the department shall have received information from the country of origin that the foreign document meets the following criteria:
  - (1) The applicant was required to provide proof of nationality and identity to the country of origin that issued the document.
  - (2) In addition to verifying the authenticity of the documents presented by the applicant pursuant to subsection (a)(1), the country of origin verified the applicant's identity and nationality.
  - (3) The document includes all of the following security features:
    - (A) A unique identification number.
    - (B) An optically variable feature such as a hologram, color-shifting inks, or a look through element.
    - (C) An ultraviolet image.
    - (D) Encoded information that meets 2D barcode standards (PDF-417) in the machine readable zone or a Radio Frequency Identification Chip.

## CALIFORNIA CODE OF REGULATIONS – ARTICLE 2.0

- (E) Micro printing.
- (F) Secure laminate.
- (G) Integrated photograph and signature.
- (4) The face of the document includes all of the following data:
  - (A) Name of the individual to whom it is issued.
  - (B) Date of issuance.
  - (C) Date of expiration.
  - (D) Name of the issuing entity.
  - (E) Identification number.
  - (F) Date of birth.
- (5) If the document is a foreign federal electoral photo card in addition to the requirements of (1) through (4) of this subsection it must also meet the following:
  - (A) Have an issuance date on or after January 1, 1991; and
  - (B) If in a language other than English, be accompanied by a certified translation or an affidavit of translation into English.
- (b) Notwithstanding subsection (a), foreign passports that meet International Civil Aviation Organization (ICAO) standards, with an issue date of 2005 or later may be used to provide satisfactory proof of an applicant's identity.
- (c) The Appendix lists the documents that have currently been deemed to provide satisfactory proof of an applicant's identity pursuant to the standards specified in subsection (a).

Note: Authority cited: Sections 1651 and 12801.9, Vehicle Code. Reference: Sections 12800, 12800.7, 12801 and 12801.9, Vehicle Code.

### HISTORY

1. New section filed 12-1-2014 as an emergency; operative 1-1-2015 (Register 2014, No. 49). A Certificate of Compliance must be transmitted to OAL by 6-30-2015 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 12-1-2014 order, including amendment of subsections (a)(3)(B) and (a)(3)(D), transmitted to OAL 5-7-2015 and filed 6-19-2015; amendments effective 6-19-2015 pursuant to Government Code section 11343.4(b)(3) (Register 2015, No. 25).

### § 16.10. Residency.

- (a) For all licenses issued under sections 16.04 and 16.06, applicants must submit one of the documents listed in subsection (c) to verify the applicant's residence address as set forth in the application as his or her true California residence address. With the exception of subsections (c) 17 and (c) 18, the document must list the applicant's first and last name and the California residence address must match the mailing address listed on the driver license application.
- (b) Notwithstanding subsection (a), a parent, legal guardian, or child may use a birth certificate and a spouse or domestic partner may use a marriage license or domestic

- partner registration certificate to trace his or her relationship to the individual to whom a residency document listed in subsection (c) has been addressed.
- (c) Acceptable residency documents are:
  - (1) Rental or lease agreements with the signatures of the owner/landlord and the tenant/resident.
  - (2) Deeds or titles to residential real property.
  - (3) Mortgage bills.
  - (4) Home utility bills including cellular phone bills.
  - (5) School documents as defined in Section 16.06(a)(1).
  - (6) Medical documents.
  - (7) Employment documents.
  - (8) Faith based documents that include the name and address of the issuing organization.
  - (9) Insurance documents, including medical, dental, vision, life, home, rental and vehicle.
  - (10) Internal Revenue Service or California Franchise Tax Board tax returns.
  - (11) California Certificates of Vehicle or Vessel Titles or registrations.
  - (12) California driver's licenses or identification cards.
  - (13) Change of Address Confirmations by the United States Postal Service (Form CNL 107).
  - (14) Documents issued by a government within the United States or the United States government.
  - (15) A property tax bill or statement.
  - (16) Records of a financial institution. For the purposes of this section the term "financial institution" means any state or national banks, state or federal savings associations, trust companies, industrial loan companies, state or federal credit unions, and any institution or entity that has issued a credit card.
  - (17) Court documents that list the applicant as a resident of California.
  - (18) A letter, on letterhead from a homeless shelter, a shelter for abused women, a nonprofit entity, a faith based organization, an employer, or a government within the United States attesting that the applicant resides in California.
  - (d) The department may determine additional documents that will assist in verifying an applicant's true California residence address on a case-by-case basis.

Note: Authority cited: Sections 1651 and 12801.9(b), Vehicle Code. Reference: Sections 12800.7 and 12801.9, Vehicle Code.

### HISTORY

1. New section filed 12-1-2014 as an emergency; operative 1-1-2015 (Register 2014, No. 49). A Certificate of Compliance must be transmitted to OAL by 6-30-2015 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 12-1-2014 order, including amendment of subsection (a) and repealer and new subsection (c)(14), transmitted to OAL 5-7-2015 and filed 6-19-2015; amendments effective 6-19-2015

## CALIFORNIA CODE OF REGULATIONS – ARTICLE 2.0

pursuant to Government Code section 11343.4(b)(3)  
(Register 2015, No. 25).

### § 16.12. Social Security Number.

- (a) The applicant must present a valid social security number or waiver.
- (b) Any social security number provided to the department will be verified with the Social Security Administration pursuant to Section 15.04 of this article.

Note: Authority cited: Sections 1651, 1653.5, 12801 and 12801.9, Vehicle Code. Reference: Sections 1653.5, 12801 and 12801.9, Vehicle Code.

#### HISTORY

1. New section filed 12-1-2014 as an emergency; operative 1-1-2015 (Register 2014, No. 49). A Certificate of Compliance must be transmitted to OAL by 6-30-2015 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 12-1-2014 order transmitted to OAL 5-7-2015 and filed 6-19-2015 (Register 2015, No. 25).

### § 16.14. Temporary License.

The department shall issue a temporary driver's license valid for up to 60 days provided there is no other cause for refusal pending the verification of the documents submitted by the applicant to establish identity and California residency.

Note: Authority cited: Sections 1651 and 12801.9, Vehicle Code. Reference: Section 12801.9, Vehicle Code.

#### HISTORY

1. New section filed 12-1-2014 as an emergency; operative 1-1-2015 (Register 2014, No. 49). A Certificate of Compliance must be transmitted to OAL by 6-30-2015 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 12-1-2014 order transmitted to OAL 5-7-2015 and filed 6-19-2015 (Register 2015, No. 25).

#### Appendix

- (a) Documents that have currently been deemed to provide satisfactory proof of an applicant's identity for the purposes of Section 16.04 subsection (a)(1):
  - (1) 2013 version of the Mexican Federal Electoral Card (Instituto Federal Electoral (IFE) Credencial para Votar).
  - (2) Mexican Passport issued in 2008 or later.
  - (3) 2006 or 2014 versions of the Mexican Consular Card (Matricula Consular).
  - (4) 2014 version of the Mexican Institute National Electoral Card (Instituto Nacional Electoral (INE) Credencial para Votar)

- (b) Passports listed in Table 1 that have currently been deemed to provide satisfactory proof of an applicant's identity for the purposes of Section 16.04 subsection (a)(2), when accompanied with a social security account number that is electronically verifiable with the Social Security Administration.
- (c) Documents that have currently been deemed to provide satisfactory proof of an applicant's identity for the purposes of Section 16.04 subsection (a)(3):
  - (1) California Driver's License issued in or after October 2000.
  - (2) California Identification Card issued in or after October 2000.
- (d) Documents that have currently been deemed to provide satisfactory proof of an applicant's identity for the purposes of Section 16.04 subsections (b)(1):
  - (1) Argentinian Identification Card (Documento Nacional de Identidad (DNI) - 2009 or 2012 version).
  - (2) Chilean Identification Card (Cedula de Identidad - 2013 version)
  - (3) El Salvadorian Identification Card (Documento Unico de Identidad (DUI) - 2010 version).
  - (4) Ecuadorian National Identification Card (Cédula dula de Ciudadanía - 2006 and 2009 versions).
  - (5) Ecuador Consular Card (Tarjeta de Identificacion Consular - 2015 version).
  - (6) Peruvian Identification Card (Documento Nacional de Identidad (DNI) - 2005 version).
  - (7) Guatemalan National Identification Card (Documento Personal de Identificación (DPI) - 2012 version).
  - (8) Guatemalan Consular Card (Tarjeta de Identificación Consular - 2002 and 2015 versions).
  - (9) Brazilian Consular Card (Carteira de Matricula Consular - 2010 version).
  - (10) Colombian Consular Card (Consular Registration - 2015 version).
  - (11) Nicaraguan National Identification Card (Cédula de Identidad - 2010 version).
  - (12) Korean Identification Card (09/2016 version).
  - (13) Paraguay Identification Card (República del Paraguay Cedula de Identidad Civil - 09/2009 version).
  - (14) Honduras Consular Card (Gobierno de la República de Honduras Matricula Consular - Consular ID - 08/2017 version).
  - (15) Foreign Passports (Listed in Table 1).

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1 Two foreign documents.

## CALIFORNIA CODE OF REGULATIONS – ARTICLE 2.0

Table 1: Foreign Passports

\*\*\*\*See last page of this Article

### HISTORY

1. New appendix filed 12-1-2014 as an emergency; operative 1-1-2015 (Register 2014, No. 49). A Certificate of Compliance must be transmitted to OAL by 6-30-2015 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 12-1-2014 order, including amendment of subsections (d)-(d)(1), repealer and new subsections (d)(4)-(d)(8), new subsections (d)(9)-(d)(11) and amendment of Table 1, transmitted to OAL 5-7-2015 and filed 6-19-2015; amendments effective 6-19-2015 pursuant to Government Code section 11343.4(b)(3) (Register 2015, No. 25).
3. Editorial correction removing incorporated by reference Form 209A (Register 2016, No. 35).
4. New subsection (a)(4), amendment of subsection (d)(8), new subsection (d)(11), subsection renumbering and amendment of Table 1 filed 8-23-2016; operative 10-1-2016 (Register 2016, No. 35).
5. Change without regulatory effect amending subsection (d), adding subsection (d)(12) and renumbering subsections filed 10-17-2016 pursuant to section 100, title 1, California Code of Regulations (Register 2016, No. 43).
6. Change without regulatory effect adopting new subsections (d)(13)-(14) and renumbering subsections filed 3-12-2018 pursuant to section 100, title 1, California Code of Regulations (Register 2018, No. 11).
7. Change without regulatory effect amending Table 1 filed 10-10-2018 pursuant to section 100, title 1, California Code of Regulations (Register 2018, No. 41).

### **§ 17.00. Documentation Required to Obtain a REAL ID-Compliant Driver's License or Identification Card.**

- (a) To be issued a REAL ID-compliant driver's license or identification card, an applicant shall:
  - (1) Satisfy the requirements of sections 17.02 and 17.04; and,
  - (2) Submit two documents from the list of documents set forth in section 15.01.
- (b) The department shall send the REAL ID-compliant driver's license or identification card to the applicant by mail with a return service requested at the address provided in the application and verified with the document submitted pursuant to section 15.01.
- (c) Applicants who do not receive their REAL ID-compliant driver's license or identification card because it has been returned to the department may:
  - (1) Notify the department of their correct address; and,
  - (2) Submit one document from the list set forth in section 15.01 showing the applicant's correct California address.
- (d) The department may not renew a REAL ID-compliant driver's license or identification card issued to a person

who submitted only one document from the list of documents set forth in Section 15.01 unless the person provides additional proof of California residency by providing a second document from the list of documents set forth in Section 15.01.

- (e) Customers who applied for a REAL ID-compliant driver's license or identification card prior to April 29, 2019, submitted one document from the list of documents set forth in Section 15.01, and were issued a REAL ID-compliant driver's license or identification card, must provide additional proof of California residency by providing a second document from the list of documents set forth in Section 15.01.
- (f) Any person applying to change the address on their REAL ID-compliant driver's license or identification card must provide two documents from the list of documents set forth in Section 15.01.

Note: Authority cited: Section 1651, Vehicle Code.

Reference: Section 681, Vehicle Code; and 6 C.F.R. Part 37.11.

### HISTORY

1. New section filed 12-22-2017; operative 12-22-2017 pursuant to Government Code section 11343.4(b)(3) (Register 2017, No. 51).
2. Change without regulatory effect amending subsection (a)(2) filed 11-29-2018 pursuant to section 100, title 1, California Code of Regulations (Register 2018, No. 48).
3. Amendment of subsections (b) and (c) and new subsections (d)-(f) filed 5-23-2019 as an emergency; operative 5-23-2019 (Register 2019, No. 21). A Certificate of Compliance must be transmitted to OAL by 11-19-2019 or emergency language will be repealed by operation of law on the following day.

### **§ 17.02. Proof of Legal Presence in the United States and Identity Required to Obtain a REAL ID-Compliant Driver's License or Identification Card.**

- (a) An applicant for a REAL ID-compliant driver's license or identification card shall present to the department genuine document(s) bearing the applicant's true full name to establish legal presence in the United States and identity.
- (b) Only the following categories of documents establish legal presence in the United States and identity:
  - (1) A valid, unexpired U.S. passport or passport card.
  - (2) A certified copy of a United States birth certificate issued in or by a city, county, or state vital statistics department or equivalent agency.
  - (3) A Certification of Birth Abroad (FS-545), a Certification of Report of Birth (DS-1350), or a Consular Report of Birth Abroad of a Citizen of the United States of America (FS-240), issued by the U.S. Department of State.
  - (4) A certified birth certificate issued from:
    - (A) Puerto Rico, on or after July 1, 2010.
    - (B) Guam, on or after April 10, 1899.

## CALIFORNIA CODE OF REGULATIONS – ARTICLE 2.0

- (C) U.S. Virgin Islands, on or after January 17, 1917.
- (D) Northern Mariana Islands, after November 4, 1986.
- (E) American Samoa.
- (F) Swain's Island.
- (G) District of Columbia.
- (H) Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau.
- (5) A valid, unexpired Permanent Resident Card (I-551), issued by the Department of Homeland Security.
- (6) An unexpired employment authorization document issued by Department of Homeland Security, Form I-766 or Form I-688B.
- (7) An unexpired foreign passport with a valid, unexpired U.S. visa affixed accompanied by the approved I-94 form documenting the applicant's most recent admittance into the U.S.
- (8) A Certificate of Naturalization (N-550, N-570, or N-578) issued by the U.S. Department of Homeland Security.
- (9) A Certificate of Citizenship (N-560, N-561, or N-645) issued by the U.S. Department of Homeland Security.

Note: Authority cited: Section 1651, Vehicle Code.  
Reference: Section 681, Vehicle Code; and 6 C.F.R. Part 37.11.

### HISTORY

- 1. New section filed 12-22-2017; operative 12-22-2017 pursuant to Government Code section 11343.4(b)(3) (Register 2017, No. 51).
- 2. Change without regulatory effect adding new subsection (b)(4)(H) filed 2-21-2019 pursuant to section 100, title 1, California Code of Regulations (Register 2019, No. 8).

### § 17.04. Proof of Social Security Number Required to Obtain a REAL ID-Compliant Driver's License or Identification Card.

- (a) The applicant for a REAL ID-compliant driver's license or identification card shall present a valid social security number, unless the applicant has non-work authorized status that is verified by the department with the Department of Homeland Security.
- (b) Proof of social security account number is established when an applicant presents any of the following genuine documents bearing the name of the applicant and the social security number of the applicant:
  - (1) Social Security Administration (SSA) account card,
  - (2) A W-2 form,
  - (3) An SSA-1099 form,
  - (4) A non-SSA-1099 form, or
  - (5) A paystub with the applicant's name and social security number on it.

Note: Authority cited: Section 1651, Vehicle Code.  
Reference: Section 681, Vehicle Code; and 6 C.F.R. Part 37.11.

### HISTORY

- 1. New section filed 12-22-2017; operative 12-22-2017 pursuant to Government Code section 11343.4(b)(3) (Register 2017, No. 51).

### § 17.06. Exceptions Process for Obtaining a Real ID-Compliant Driver's License or Identification Card.

- (a) If an applicant for a REAL ID-compliant driver's license or identification card is, through no fault of the applicant, unable to produce a document to establish U.S. citizenship as described in section 17.02(b)(1), (b)(2), (b)(3), (b)(4), (b)(8), or (b)(9), the applicant shall present sufficient information to enable the department's investigative division to verify the applicant's U.S. citizenship, identity, and date of birth, consistent with the REAL ID Act, as referenced in Vehicle Code section 681. The applicant shall establish U.S. citizenship, identity, and date of birth by participating in an interview at the department's investigative division.
- (b) The applicant shall provide the information described in subsection (c) by submitting a REAL ID Exception Process Application, form DL 206 (New 1/2018), which is hereby incorporated by reference, and certify, under penalty of perjury, that the information provided pursuant to subsection (c) is truthful to the best of the applicant's knowledge, and that the applicant is a U.S. Citizen and meets one or more of the following criteria:
  - (1) Was born before 1935,
  - (2) Is mentally disabled,
  - (3) Was abandoned as a child,
  - (4) Is a ward of the court,
  - (5) Is homeless, or
  - (6) Is unable to produce a document described in section 17.02(b)(1), (b)(2), (b)(3), (b)(4), (b)(8), or (b)(9) through no fault of the applicant.
- (c) The applicant shall submit the following information to the department's investigative division:
  - (1) True full name and any other names used by the applicant.
  - (2) If known, the date of birth and the place of birth, including city and state, of the applicant.
  - (3) Family history, to the extent known, including, but not limited to, biological mother and father's name, dates of birth, and places of birth, including city and state information.
  - (4) If the applicant certifies to meeting the criteria under subsection (b)(6), the applicant must provide an explanation as to why the document(s) are unavailable.
- (A) An example of an acceptable explanation is that the official copy of the applicant's birth records were destroyed in a natural disaster and is not available from the issuing authority.
- (B) An application will be denied if the explanation is that the applicant's copy has been lost, damaged, or destroyed, but it is still retained by the issuing authority.

## CALIFORNIA CODE OF REGULATIONS – ARTICLE 2.0

- (5) Documentation that is consistent with and supports the information submitted on the application, including the basis for certification.
- (6) Other information as requested by the department relevant to a determination that the applicant is a U.S. citizen.
- (d) Prior to receiving an exception, an applicant shall submit to an interview, assist the department as needed in its use of electronic verification systems and verification by manual methods of alternate documents, provide sworn informational statements as may be reasonably necessary to establish the citizenship of the applicant, and cooperate in other reasonable efforts undertaken by the department to verify the applicant is a U.S. citizen.

Note: Authority cited: Sections 1651, Vehicle Code.

Reference: Section 681, Vehicle Code; and 6 C.F.R Part 37.11.

### HISTORY

- 1. New section filed 12-22-2017; operative 12-22-2017 pursuant to Government Code section 11343.4(b)(3) (Register 2017, No. 51).

### § 20.04. Information Required for a Name Change on a Driver License or Identification Card.

- (a) Upon application for an original California driver license or identification card, the department shall require the applicant to produce identification necessary to ensure the name provided on the application is the individual's true full name.
- (1) If the name provided on the application conflicts with the name on the document or documents submitted to establish legal presence or birth verification at the time of application, the department shall require the applicant to provide additional documentary evidence to establish that the name on the application is his or her true full name.
- (b) Upon application for a renewal or duplicate California driver license or identification card, or before a California driver license or identification card may be issued, reissued, or returned to the licensee after a refusal, cancellation, probation, restriction, suspension or revocation of the person's driving privilege, the department shall require the applicant to produce identification when necessary to ensure the name provided on the application is the individual's true full name.
- (c) Upon application for a change of name on a California driver license or identification card, the department shall require the applicant to produce identification to ensure the name provided on the application is his or her true full name.
- (d) The department will accept an original or certified copy of one of the following documents that is legible and unaltered as additional documentation to establish the applicant's true full name as required by subsections (a) and (b), or as identification to establish the applicant's true full name for a name change:

- (1) Any document specified in Section 15.00 in Article 2, Chapter 1, Division 1, of Title 13 of the California Code of Regulations.
- (2) A document issued by a competent jurisdiction that contains the applicant's legal name, date of birth, if available, and government seal, stamp or other official imprint including, but not limited to:
  - (A) An adoption document that contains the legal name of the individual as a result of the adoption
  - (B) A name change document that contains the individual's legal name both before and, as a result of, the name change.
  - (C) A marriage certificate.
  - (D) A dissolution of marriage document that contains the legal name of the individual as a result of the court action.
  - (E) A certificate, declaration or registration document verifying the formation of a domestic partnership.
  - (F) A certificate, notice or judgment verifying the termination or dissolution of a domestic partnership.
- (3) For purposes of this subsection, "competent jurisdiction" is defined as any governmental agency within the United States, District of Columbia, territory or possession of the United States, including federal, state, and local agencies, or a foreign state or its equivalent, duly authorized to issue documents for adoption, name change, marriage, or dissolution of marriage.

Note: Authority cited: Section 1651, Vehicle Code.

Reference: Sections 12800, 12800.7, 12809 and 13000, Vehicle Code.

### HISTORY

- 1. New section filed 5-18-99; operative 6-17-99 (Register 99, No. 21). For prior history, see Register 97, No. 26.
- 2. Amendment of section and Note filed 5-24-2001 as an emergency; operative 5-24-2001 (Register 2001, No. 21). A Certificate of Compliance must be transmitted to OAL by 9-21-2001 or emergency language will be repealed by operation of law on the following day.
- 3. Certificate of Compliance as to 5-24-2001 order transmitted to OAL 9-7-2001 and filed 10-17-2001 (Register 2001, No. 42).
- 4. Repealer of subsection (d)(2), subsection renumbering, amendment of newly designated subsections (d)(2)-(d)(2)(B) and (d)(2)(D) and new subsection (d)(2)(F) filed 2-5-2009; operative 3-4-2009 (Register 2009, No. 6).

### § 20.05. Gender Categories.

The department shall issue a California driver's license or identification card to an applicant that requests a gender category that differs from the sex or gender on a document used to establish identity or legal presence as specified in Section 15.00, 16.04, 16.06, 17.02, 17.06, 26.01, 26.02 or an existing California driver's license or identification card if, in addition to meeting the other requirements for obtaining a driver's license or identification card, the applicant presents, in person, a Gender Category Request,

## CALIFORNIA CODE OF REGULATIONS – ARTICLE 2.0

form DL 329S (New 1/2019), which is hereby incorporated by reference.

Note: Authority cited: Section 1651, Vehicle Code.

Reference: Sections 12800, 12811, 13000 and 13005, Vehicle Code.

### HISTORY

1. New section filed 2-5-2009; operative 3-4-2009 (Register 2009, No. 6).
2. Amendment of section heading and repealer and new section filed 1-28-2019; operative 1-28-2019 pursuant to Government Code section 11343.4(b)(3) (Register 2019, No. 5).

### § 20.06. Identification Elements and Document Inspection Terms.

(a) In addition to the content and form of a driver license specified in Vehicle Code sections 12800.5 and 12811, the essential elements of identification on a driver license include:

- (1) A description of the sex, hair, eyes, height, and weight of the individual.
- (2) The type of license.
- (3) Endorsements and restrictions assigned to the driving privilege.

(b) A visually mutilated driver license or identification card means any essential element of information contained on the driver license or identification card is obstructed, absent, illegible, or exposed through the protective sealant or other technologically advanced visual security feature.

(c) In addition to (b), if the driver license or identification card contains a magnetic stripe, mechanically mutilated means that the document is unable to pass through a mechanical device designed to read the essential elements of identification contained in the magnetic stripe located on the reverse side of a driver license or identification card.

(d) In addition to (b) and (c), if the driver license or identification card contains a magnetic stripe, electronically mutilated means that the driver license or identification card is unable to transmit essential elements of identification through an electronic process or device designed to read the information contained in the magnetic stripe located on the reverse side of a driver license or identification card.

Note: Authority cited: Section 1651, Vehicle Code.

Reference: Sections 12800.5, 12811, 12815, 13003, 13005 and 13005.5, Vehicle Code.

### HISTORY

1. New section filed 12-9-93; operative 1-10-94 (Register 93, No. 50).
2. Amendment of section heading, section and Note filed 6-27-97; operative 7-27-97 (Register 97, No. 26).

### § 25.01. Fraudulent Application for a Driver License or Identification Card.

(a) For the purposes of this section, "an application" means any form currently in use, under revision, or developed in the future by the department for the process of establishing driving privileges or personal identification.

(b) The department may revoke the driving privilege, for a period of up to one year, of an individual who submits an application for a driver license to the department which is determined to include, be substantiated with, or presented with fraudulent information or documentation. The individual may not reapply for a driver license until the period of revocation is completed. An individual subject to a revocation action pursuant to this section shall immediately surrender any California driver license issued, including temporary licenses, to the department or a peace officer upon notification of the action.

(c) The department shall immediately cancel an identification card which was issued based on submission of a fraudulent application. An individual subject to a cancellation pursuant to this section shall immediately surrender any identification card so canceled to the department or a peace officer upon notification of the action.

Note: Authority cited: Section 1651, Vehicle Code.

Reference: Sections 20, 12809(d), 13101, 13004(a), 13359, 13551(a), 13362 and 14610, Vehicle Code.

### HISTORY

1. New article 2.0 and section filed 9-18-95; operative 10-18-95 (Register 95, No. 38).
2. Change without regulatory effect deleting article heading filed 7-23-2003 pursuant to section 100, title 1, California Code of Regulations (Register 2003, No. 30).